

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

11 IN RE HIGH-TECH EMPLOYEE) Master Docket No. 11-CV-2509-LHK
12 ANTITRUST LITIGATION)
13 THIS DOCUMENT RELATES TO:)
14 **ALL ACTIONS**)
15)
16)

17 On October 1, 2012, Plaintiffs filed their Motion for Class Certification. ECF No. 187. On
18 November 12, 2012, Defendants filed their Opposition to Plaintiffs' Motion for Class Certification
19 ("Opposition"). ECF No. 209. In addition to the Opposition, Defendants filed a Motion to Strike
20 the report of Plaintiffs' expert, Dr. Edward E. Leamer ("Motion to Strike"). ECF No. 210.
21 Pursuant to Local Rule 7-3(a), Plaintiffs' Opposition to Defendants' Motion to Strike is due
22 November 26, 2012.

23 On November 12, 2012, Defendants also filed an Administrative Motion seeking an
24 evidentiary hearing in connection with the Motion for Class Certification so that Dr. Leamer and
25 Defendants' expert, Kevin Murphy, may testify and be cross-examined. ECF No. 213 ("Motion for
26 an Evidentiary Hearing"). Plaintiffs filed their response to Defendants' Motion for an Evidentiary
27 Hearing on November 16, 2012. ECF No. 237.

1 On November 15, 2012, Plaintiffs filed an Administrative Motion in which Plaintiffs argue
2 that Defendants' Motion to Strike is improper and should not be considered. *See* Administrative
3 Motion for Order Compelling Defendants to Comply with Civil Local Rules 7-3(a) and 3-4(c)(2).
4 ECF No. 232 ("Administrative Motion"). Plaintiffs also argue that Defendants' Opposition should
5 be rejected because Defendants used Garamond font instead of Times New Roman font. *Id.* at 1.
6 Plaintiffs contend that Defendants use of Garamond font allowed Defendants "to squeeze in over
7 one-and-a-half pages of argument beyond the 25-page limit." *Id.* Defendants filed their response
8 to Plaintiffs' Administrative Motion on November 19, 2012. ECF No. 138.

9 On November 16, 2012, Plaintiffs filed an additional motion to remove the Declaration of
10 Brendan P. Glackin in Support of Administrative Motion for Order Compelling Defendants to
11 Comply with Civil Local Rules 7-3(a) and 3-4(c)(2) (ECF No. 233) because the declaration
12 contained material designated as confidential pursuant to the parties' protective order. *See* ECF
13 No. 235 ("Motion to Remove the Glackin Declaration"). Plaintiffs state that they inadvertently
14 filed the redacted version of the material. *Id.*

15 Having considered the parties submissions and the relevant case law, the Court hereby
16 ORDERS that:

17 (1) Plaintiffs' deadline to respond to Defendants' Motion to Strike shall be December
18 10, 2012. Pursuant to Local Rule 7-3(a), Plaintiffs have 25 pages in which to respond to the
19 Motion to Strike;

20 (2) Defendants shall not be permitted to file a Reply in Support of their Motion to
21 Strike;

22 (3) All future briefs filed by the parties shall use size 12, Times New Roman font with
23 the default character spacing settings;

24 (4) Defendants' Motion for an Evidentiary Hearing is DENIED; and

25 (5) Plaintiffs' Motion to Remove the Glackin Declaration is GRANTED. However, the
26 Court is unable to remove the documents from the online docket. Instead, the Court ORDERS that

1 the Clerk permanently lock ECF No. 233 (the Glackin Declaration) and its two attachments on the
2 online docket to prevent public access.¹

3 **IT IS SO ORDERED.**

4 Dated: November 21, 2012



5 LUCY H. KOH
6 United States District Judge

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¹ These documents were provisionally locked on November 17, 2012.